

REMARKS

Claims 14-16 and 18-29 are pending in the above-identified application. Claim 17 has been inserted into claim 14 and claim 20 also amended so as to include language that corresponds to the changes to claim 14.

Issues under 35 USC 103(a)

Claims 14-24 were rejected under 35 USC 103(a) as being unpatentable over JP '892 (Japanese Patent No. 10-114892) in view of JP '887 (Japanese Patent No. 61-147887).

Claims 25-29 were rejected under 35 USC 103(a) as being unpatentable over JP '892 and JP '887, and further in view of JP '838 (Japanese Patent No. 09-124838).

Distinctions over Cited References

JP '892 discloses a vaporizable rust-preventive composition containing (A) a nitrate; (B) a pH buffer such as boric or citric acid; (C) a benzotriazole or its derivative; and (D) a resin powder.

JP '887 discloses a water soluble rust preventive agent safe for food hygiene which contains an alkaline metal salt of a nitrous acid, an alkaline metal salt of a benzoic acid, and an alkaline metal salt or alkaline earth metal salt of an aliphatic oxycarboxylic acid, such a citric, malic or tartaric acid.

JP '838 discloses a resin composition for metal rust prevention which contains a thermoplastic resin mixed with a p-tertiary butylbenzoic acid metal salt of the shown formula with "M" being sodium or potassium. An auxiliary component may be triammonium phosphate, ammonium molybdenate or dicyclohexylammonium nitrite.

Both of JP '892 and JP '887 both fail to disclose or suggest the use of sebacic or dodecandioic acid as employed in the corrosion inhibitor composition of the present invention. Both JP '892 and JP '887 fail to provide an adequate basis for one skilled in the art to employ sebacic or dodecandioic acid in a corrosion inhibitor composition. In addition, these references cannot be properly combined in view of the fact that the composition of JP '887 is disclosed to

be combined with water, while the composition of JP '892 is disclosed to be combined with a resin powder. Thus, significant patentable distinctions exist over both of these references, whether taken separately or improperly combined, such that the above rejection based on these references must be withdrawn.

Regarding the combination of JP '838 with JP '892 with JP '887, it is submitted that JP '838 fails to make up for the deficiencies of either JP '892 or JP '887, such that this rejection should also be withdrawn. Even if all these references were to be hypothetically combined, the resulting hypothetical combined disclosure would fail to disclose or suggest the thermoplastic resin composition products recited in claims 25-29. As noted above, JP '892 and JP '887 cannot be properly combined. Consequently, this rejection must be withdrawn.


It is submitted for the reasons above that the present claims define patentable subject matter such that this application should now be placed in condition for allowance.

If any questions arise in the above matters, please contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: February 3, 2009

Respectfully submitted,

By 

Andrew D. Meikle
Registration No.: 32,868
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant